



Testimony in SUPPORT of House Bill 874 – Office of the Attorney General - Environment and Natural Resources Monitoring Unit - Establishment

March 6, 2023

Dear Chairman Barve and Committee Members,

Thank you for this opportunity to submit testimony in **SUPPORT** of **HB874**—*Office of the Attorney General - Environment and Natural Resources Monitoring Unit - Establishment*—on behalf of ShoreRivers. ShoreRivers is a river protection group on Maryland’s Eastern Shore with more than 2,000 members. Our mission is to protect and restore our Eastern Shore waterways through science-based advocacy, restoration, and education.

This bill will add much needed support, as well as accountability, to Maryland state agencies that have enforcement authority of environmental laws. The Maryland Department of the Environment (MDE)'s declining rate of enforcement is evidence that state agencies alone can't address the current and ongoing violations around the state. In Dorchester County, it took years of persistence from ShoreRivers to expose significant pollution violations at the Valley Proteins rendering plant, whose Clean Water Act discharge permit had been administratively extended by MDE for 16 years after its 2006 expiration. While operating on an already expired permit, the facility was also reported to be in and out of compliance for several years following its continuation. However, lack of inspections and monitoring led to continued violations at the facility with no transparency from MDE about when the permit would be updated or if enforcement actions were to be taken. The pollution from the facility’s non-compliance will have lasting impacts to the downstream water quality in the Transquaking River and Higgins Mill Pond.

Aside from point source discharges like Valley Proteins, the Eastern Shore is scattered with groundwater discharge permits that allow the spraying of wastewater as irrigation on farm fields. However, MDE compliance and inspection data show that these facilities are commonly in violation of their permits. In the first half of fiscal year 2020, 23 of 41 (56%) inspections of groundwater permits resulted in a finding of “noncompliance” or “corrective action,” whereas only 29% of inspections resulted in a finding of full compliance. Examination of data from the past four fiscal years reveals similar findings, with only 80 of 317 inspections (25%) finding full compliance. And on the Eastern Shore, the rate of noncompliance was similar, with 58 out of 108 (54%) inspections showing in noncompliance.¹

If the state is ever to meet its Chesapeake cleanup goals, enforcement for pollution violations needs to be a priority. ShoreRivers is optimistic about the changes to be brought and commitments made by the leadership of a new MDE administration. However, in the event that MDE fails to do their job, the Attorney General’s Environmental Monitoring Unit should assist MDE to hold polluters accountable.

Sincerely,
Matt Pluta, Choptank Riverkeeper on behalf of ShoreRivers

¹ <https://www.chesapeakelegal.org/guides-resources/groundwater-permit-and-spray-field-advocacy-opportunities-in-maryland/>

ShoreRivers

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